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Agenda item 121

Review of the efficiency of the administrative and financial functioning of the United Nations

Report of the Fifth Committee

Rapporteur: Mr. Santiago **Wins** (Uruguay)

I. Introduction

1. The previous recommendations made by the Fifth Committee to the General Assembly under agenda item 121 appear in the report of the Committee contained in document A/56/734.

2. The Fifth Committee resumed its consideration of the item at its 41st, 46th, 52nd and 53rd meetings, on 4, 8, 15 and 19 March 2002. Statements and observations made in the course of the Committee's consideration of the item are reflected in the relevant summary records (A/C.5/56/SR.41, 46, 52 and 53).

3. For its further consideration of the item, the Committee had before it the following documents:

Common services

(a) Notes by the Secretary-General transmitting the report of the Joint Inspection Unit entitled "The United Nations system common services at Geneva, part II: Case studies (ICC, JMS, TES, DPS, JPS)" (A/55/856) and his comments and those of the Administrative Committee on Coordination thereon (A/55/856/Add.1);

(b) Report of the Advisory Committee on Administrative and Budgetary Questions;[1]

(c) Report of the Secretary-General on common services at Geneva (A/56/417/Rev.1);

[1] *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 7* (A/56/7), paras. 124, 168 and VIII.97-VIII.103.

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Proposed regulations

(d) Reports of the Secretary-General on the proposed regulations governing the status, basic rights and duties of officials other than Secretariat officials and experts on mission and regulations governing the status, basic rights and duties of the Secretary-General (A/55/928 and A/56/437).

II. Consideration of proposals

A. Draft resolution A/C.5/56/L.41

4. At the 46th meeting, on 8 March, the representative of Botswana and coordinator of the informal consultations on this question introduced, on behalf of the Chairman, a draft resolution entitled "Report of the Joint Inspection Unit on the United Nations system common services at Geneva" (A/C.5/56/L.41).

5. At the same meeting, the Committee adopted draft resolution A/C.5/56/L.41 without a vote (see para. 10, draft resolution I).

B. Draft resolution A/C.5/56/L.45

6. At the 52nd meeting, on 15 March, the representative of Canada, Vice-Chairman of the Committee and coordinator of the informal consultations on this question, introduced a draft resolution entitled "Proposed regulations governing the status, basic rights and duties of officials other than Secretariat officials and experts on mission and regulations governing the status, basic rights and duties of the Secretary-General" (A/C.5/56/L.45).

7. At the same meeting, the Committee adopted draft resolution A/C.5/56/L.45 without a vote (see para. 10, draft resolution II).

C. Draft decision A/C.5/56/L.54/Rev.1

8. At the 53rd meeting, on 19 March, the Chairman of the Committee introduced a draft decision entitled "Action taken on certain items" (A/C.5/56/L.54/Rev.1).

9. At the same meeting, the Committee adopted draft decision A/C.5/56/L.54/Rev.1 without a vote (see para. 11).

III. Recommendations of the Fifth Committee

10. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolutions:

Draft resolution I
Report of the Joint Inspection Unit on the United Nations system common services at Geneva

The General Assembly,

Recalling its resolution 54/255 of 7 April 2000,

Having considered the report of the Joint Inspection Unit entitled "The United Nations system common services at Geneva, part II: Case studies (ICC, JMS, TES, DPS, JPS)",[2] and the note by the Secretary-General[3] transmitting his comments and those of the Administrative Committee on Coordination[4] thereon,

Having also considered the report of the Secretary-General[5] submitted pursuant to paragraph 9 of its resolution 54/255,

Having further considered the information contained in the report of the Advisory Committee on Administrative and Budgetary Questions,[6]

1. *Takes note* of the recommendations of the Joint Inspection Unit[2] and the comments of the Secretary-General and the Administrative Committee on Coordination thereon;[3]

2. *Reiterates* that the use of common services at Geneva should be one of many tools available to organizations and managers to obtain goods and services in the most efficient and effective manner;

3. *Encourages* the organizations concerned, in their continuing efforts further to expand areas of cooperative arrangements, to give priority to those services that lend themselves to common delivery using the criteria of efficiency, productivity and cost effectiveness and, where feasible, to take into account the recommendations contained in the report of the Joint Inspection Unit,[2] bearing in mind also the distinct mandates, roles, tasks and rules of each individual participating organization;

4. *Welcomes* the comments and views contained in the relevant paragraphs of the report of the Advisory Committee on Administrative and Budgetary Questions,[6] in particular regarding telecommunications and information technology services, conference services, printing and publishing, as well as general administration;

5. *Notes* the efforts made to date by the Geneva-based organizations of the United Nations system in the enhancement of common services, and encourages them to pursue, on a more structured approach, the improvement of existing common services and development of new common approaches, within the framework of the Management Ownership Committee and the Task Force on Common Services and its working groups;

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[2] See A/55/856.

[3] A/55/856/Add.1.

[4] In its decision 2001/321 of 24 October 2001, the Economic and Social Council changed the name of the Administrative Committee on Coordination to the United Nations System Chief Executives Board for Coordination.

[5] A/56/417/Rev.1.

[6] *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 7* (A/56/7), paras. 124, I.68 and VIII.97-VIII.103.

6. *Requests* the Secretary-General to encourage the Management Ownership Committee, when determining the scope and pace of implementation of common services arrangements at Geneva, to adopt streamlined consultation procedures that would promote timely agreement on which services should be delivered in common or jointly, with a view to the possible full launching of the plan of action for Geneva common services earlier than the targeted year of 2010;

7. *Invites* the Joint Inspection Unit to continue to monitor progress in the development and consolidation of common services at Geneva, and at other duty stations where the United Nations system offices and agencies are established, and to report thereon to the General Assembly at its fifty-eighth session in the context of its annual report;

8. *Requests* the Secretary-General to report to the General Assembly at its fifty-eighth session on the implementation of the present resolution.

Draft resolution II
Proposed regulations governing the status, basic rights and duties of officials other than Secretariat officials and experts on mission and regulations governing the status, basic rights and duties of the Secretary-General

The General Assembly,

Recalling its resolutions 52/252 of 8 September 1998 and 55/221 of 23 December 2000,

Having considered the reports of the Secretary-General on the proposed regulations governing the status, basic rights and duties of officials other than Secretariat officials and experts on mission and regulations governing the status, basic rights and duties of the Secretary-General,[7]

Adopts the draft regulations governing the status, basic rights and duties of officials other than Secretariat officials and experts on mission, together with the explanatory commentary, as set out in the annex to the report of the Secretary-General,[8] subject to the following modifications:

(a) Draft regulation 1 (a):

(i) Insert in paragraph 3 of the commentary, after the words "General Assembly", the words "or other relevant main bodies and organs of the United Nations";

(ii) Delete the commentary in paragraph 4;

(b) Draft regulation 1 (b):

Add the following commentary:

"In view of the system-wide functions of the International Civil Service Commission and the Joint Inspection Unit, the term 'United Nations' in the written declaration will be replaced by the words 'United

[7] A/55/928 and A/56/437.
[8] A/56/437.

Nations and other participating organizations' and the word 'Organization' will be replaced by the word 'organizations' in the case of the Chairman and Vice-Chairman of the International Civil Service Commission and the Inspectors of the Joint Inspection Unit";

(c) Add the following sentence at the end of draft regulation 1 (e):

"The Secretary-General should inform and may take into account the views of the legislative bodies that appointed the officials or experts on mission";

(d) Insert a new draft regulation 1 (f), reading:

"These regulations are applicable to the Chairman and Vice-Chairman of the International Civil Service Commission and the Inspectors of the Joint Inspection Unit, without prejudice to and in accordance with the statutes of the International Civil Service Commission and the Joint Inspection Unit which stipulate that these officials perform their functions in respect of the United Nations and other organizations which accept their statutes";

(e) Add the following sentence at the end of draft regulation 2 (i):

"It will be for the Secretary-General, in due consultation with the appointing authority in the case of officials not appointed by the Secretary-General, to judge whether a particular fact has given rise to a conflict-of-interest situation".

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11. The Fifth Committee also recommends to the General Assembly the adoption of the following draft decision:

Action taken on certain items

The General Assembly decides:

(a) To defer to the second part of its resumed fifty-sixth session consideration of the following agenda items and related questions:

(i) *Review of the administrative and financial functioning of the United Nations (item 121) and Human resources management (item 126)*:

Gratis personnel provided by Governments and other entities;[9]

(ii) *Programme budget for the biennium 2000-2001 (item 122)*:

Treatment of perennial activities;[10]

(iii) *Programme budget for the biennium 2002-2003 (item 123)*:

Conditions of service for judges of the International Court of Justice, the International Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia;[11]

[9] A/56/839.

[10] A/C.5/52/42 and A/53/7/Add.9.

[11] A/56/7/Add.2 and A/C.5/56/14.

(iv) *Human resources management (item 126)*;

(v) *Report of the Secretary-General on the activities of the Office of Internal Oversight Services (item 130)*;[12]

(vi) *Administration of justice at the United Nations (item 169)*;[13]

(b) To defer to the second part of its resumed fifty-sixth session consideration of the reports submitted under the item entitled "Human resources management",[14] including consideration of the report of the Secretary-General on a monitoring capacity in the Office of Human Resources Management of all relevant activities in the Secretariat, regardless of the source of funding, requested in section VII, paragraph 10, of its resolution 55/258;

(c) To defer to its fifty-seventh session consideration of the following reports submitted under the item entitled "Human resources management":

(i) Report of the Secretary-General on the composition of the Secretariat;[15]

(ii) Report of the Secretary-General on the mandatory age of separation;[16]

(iii) Report of the Secretary-General on the placement of staff members serving in the Executive Office of the Secretary-General.[17]

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[12] A/55/826 and Corr.1; *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 7* (A/56/7); A/56/83; A/56/620; A/56/689; A/56/733; A/56/759; and A/56/823.

[13] A/56/800.

[14] A/55/451; *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 7* (A/56/7); A/56/227, A/56/834, A/C.5/56/3 and A/C.5/56/L.7.

[15] A/56/512 and Corr.1.

[16] A/56/701 and A/C.5/56/CRP.1 and Add.1; and A/56/846.

[17] A/56/816.